IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

WP(C).No. 1491 of 2007(C)

PETITIONER:

V.P.HARIDAS,
PC 3897, (UNDER SUSPENSION),
NEDUMUDI POLICE STATION, ALAPPUZHA DISTRICT,
RESIDING AT G.B.NO.43, NORTH POLICE QUARTERS,
VAZHICHERRY WARD, ALAPPUZHA.

BY ADV. SRI.S.P.ARAVINDAKSHAN PILLAY
SMT.N.SANTHA
SRI.PETER JOSE CHRISTO
SMT.S.MADHURILATHA
SRI.S.A.ANAND

RESPONDENTS:
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1. THE SUPERINTENDENT OF POLICE,
ALAPPUZHA DISTRICT, ALAPPUZHA.

2. THE DEPUTY SUPERINTENDENT OF POLICE,
CRIME BRANCH CID, ALAPPUZHA.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 1491 OF 2007

Dated this the 30th January, 2007.

JUDGMENT

The petitioner has approached this Court challenging Exts.P1 and P2 orders passed by the respondents placing the petitioner under suspension and issuing memo of charges to him. Govt. Pleader on instruction submits that as per order passed on 23.1.2007 the petitioner has been reinstated in service after revoking the order of suspension, without prejudice to the disciplinary proceedings pending against him. Hence the prayer to quash Ext.P1 has become infructuous. As far as the prayer to set aside Ext.P2 proceedings is concerned, I am of the opinion that interference by this Court touching the legality of issuing memo of charges at this stage of the proceedings, may not be proper. The petitioner has got the right to put forward all his contentions before the disciplinary authority or any other authority in that behalf and seek orders from those authorities. Hence, without prejudice to the right of the petitioner to raise all such contentions before the appropriate authority and recording

the fact that the petitioner has since been reinstated in service, this writ petition is closed.

K.K.DENESAN
Judge

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